



California Fair Political Practices Commission

May 16, 1986

Joseph R. Symkowick
Chief Counsel
CA State Department of Education
P.O. Box 944272
Sacramento, Ca 94244-2720

Re: FPPC No. A-86-114

Dear Mr. Symkowick:

This is in reply to your letter dated April 7, 1986, in which you asked for advice on behalf of Superintendent of Public Instruction Bill Honig.

You asked if Mr. Honig would incur any disclosure obligations under the campaign provisions of the Political Reform Act in connection with use of his state assigned car to travel to campaign events. You indicated that because Mr. Honig is up for re-election this year, he will attend campaign events at various times. As a statewide constitutional officer identified in the succession he uses a state assigned vehicle and is accompanied by a state police officer in going from campaign event to business and vice versa; that Mr. Honig is always carrying out his duties as Superintendent of Public Instruction and is in constant contact with management at the Department of Education.

We have determined that, because use of the state vehicle and its communications equipment is necessary at all times to Mr. Honig's protection and performance of his official duties, Mr. Honig has not received a campaign contribution from the state and, therefore, has no obligations in connection with such use.

Thank you for your inquiry. Please call me if you have any questions.

Sincerely,

Jeanne Pritchard
Division Chief, Technical
Assistance & Analysis Division

JP:kt



CALIFORNIA STATE DEPARTMENT OF EDUCATION

721 Capitol Mall; P.O. Box 944272

Sacramento, CA 94244-2720

Bill Honig

Superintendent

of Public Instruction

APR 11 8 16 AM '86

April 7, 1986

Jean Pritchard, Counsel
Fair Political Practices Commission
P.O. BOX 807
Sacramento, CA 95804

RE: USE OF STATE-ASSIGNED VEHICLE

Dear Ms. Pritchard:

I am writing this letter as a followup to our phone conversation of April 2, 1986.

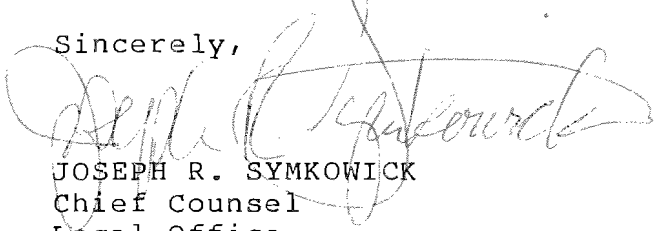
As you know, I am Counsel to the Department of Education and Bill Honig, Superintendent of Public Instruction. Mr. Honig is a statewide elected constitutional officer serving currently in the fourth year of his first four-year term. He is running for re-election at this time. As I explained to you as a constitutional officer identified in the succession, Mr. Honig is assigned a state unmarked vehicle that is usually driven by an assigned state policeman who accompanies him for protection. Mr. Honig is always carrying out his duties as Superintendent of Public Instruction and is in constant contact with management at the Department of Education. Mr. Honig is also campaigning and at various times throughout the day will attend campaign events. In going from campaign event to business and vice versa, he uses the state-assigned vehicle and is accompanied by the state police officer. Often times while at a campaign event, he will be contacted by telephone for state related business purposes.

On behalf of Mr. Honig I have contacted the Department of Personnel Administration and based on that contact, it is my understanding that nothing further is required of Mr. Honig than to account for the campaign related use of the state vehicle. This accounting would be reported to the Internal Revenue Service in accordance with their rules and regulations (see attached memorandum to Joyce Whiten, Department of Personnel Administration). My telephone inquiry to you was for the purpose of ascertaining whether any further reporting or other requirements would be placed upon Mr. Honig's use of the state vehicle in relation to the campaign. You indicated that there had been no previous advice with regard to this matter and asked me to prepare this letter to you.

JEAN PRITCHARD
April 7, 1986
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Due to the oversight functions of the Fair Political Practices Commission regarding campaign activities, we would request your advice regarding what, if anything, is required of Mr. Honig in relation to his use of the state-assigned vehicle for campaign purposes. Should you have any need for further information, please do not hesitate to contact me. Thank you in advance for your assistance.

Sincerely,

A handwritten signature in dark ink, appearing to read "Joseph R. Symkowick", is written over the typed name and title.

JOSEPH R. SYMKOWICK
Chief Counsel
Legal Office
445-4694

JRS:dh

86-714

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Memorandum

To : JOYCE WHITEN
Department of Personnel
Administration

Date : March 20, 1986

File No.:

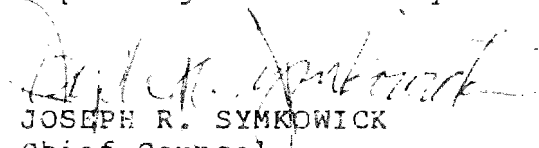
From : Legal Office, Room 552 (5-4694)

Subject: Reporting of Personal Car Use to Internal Revenue
Service

The purpose of this memorandum is to confirm my previous phone conversation with you.

Superintendent of Public Instruction, Bill Honig is assigned a state car on a permanent basis. He will be required to attend various functions as a result of his re-election campaign. He anticipates that in certain instances he will be using the state-assigned vehicle to go to and from these functions. It is my understanding that you concur that such a use of the state vehicle is outside the realm of his responsibility as State Superintendent of Public Instruction and should accordingly be reported to the Internal Revenue Service.

By this memorandum we are confirming our understanding. The superintendent will report any campaign related use of the vehicle to the Internal Revenue Service in accordance with applicable rules and regulations. We would appreciate it if you would inform us if you determine that any other reporting is necessary.


JOSEPH R. SYMKOWICK
Chief Counsel

JRS:dh